

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

IN RE:  
HUMBERTO QUINTANA,  
SONJA QUINTANA,

Case No.: 14-35302-KLP

Chapter 13

\_\_\_\_\_  
Debtor(s).

HUMBERTO QUINTANA,  
SONJA QUINTANA,

Plaintiffs,

v.

Adversary Proceeding No. 14-03185-KLP

U.S. BANK NATIONAL ASSOCIATION,  
SPECIALIZED LOAN SERVICING LLC,  
DAVID N. PRENSKY, TRUSTEE,

Defendants.

**ORDER ON PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT**

This matter arose upon Plaintiffs' Motion for Default Judgment ("the Motion").

Plaintiffs contend that Notice of said hearing was properly given, and that upon said hearing date appearances were made by Counsel for the Plaintiffs and Counsel for the Chapter 13 Trustee. No appearances were made by any other party in interest, and no Response/Objections to Plaintiffs' "Motion" were timely filed.

As such, after review of the records and pleadings filed in this case, consideration of the announcement made at the call of this Court's calendar, by consent of the parties, and for good cause shown, it is hereby

**ORDERED** that Plaintiffs' "Motion" is GRANTED as set forth herein. It is

**ORDERED** that effective upon entry of a Discharge Order under 11 U.S.C. 1328 in the Plaintiffs' Chapter 13 Case, any security interest and/or Lien of Defendants, evidenced by the Lien encumbering Plaintiffs' real property listed above, recorded on or about, in the aforementioned Official Real Estate Records of the Circuit Court for the County of Chesterfield, Virginia is hereby avoided with respect to the interest in Plaintiffs' real property located at 8724 South Boones Trail Road Richmond, Virginia, 23236, and more particularly known as:

ALL that certain lot, piece or parcel of land, with improvements thereon and appurtenances thereunto belonging, lying and being in Chesterfield County, Virginia, and designated as Lot 15, Section B, Jacobs Glen, on subdivision plat by Balzer & Associates, dated January 20, 1993, recorded June 16, 1993, in the Clerk's Office, Circuit Court, Chesterfield County, Virginia, in Plat Book 81, pages 25-26, to which reference is hereby made for a more particular description.

BEING the same real estate conveyed to Grantor(s) by Deed recorded immediately prior to and simultaneously herewith.

It is further **ORDERED** that upon receipt of this Court's Discharge Order, Defendants' Lien shall become null and void and shall be automatically extinguished without further Court Order, pursuant to 11 U.S.C. 506(d), that Defendants shall release the lien within thirty (30) days from Notice of Entry of Plaintiff's discharge. Plaintiffs may record this Order, upon entry of Discharge, with the Clerk of the Circuit Court for the County of Chesterfield, Virginia, and

It is further **ORDERED** that for purposes of distribution under Plaintiffs' Chapter 13 Plan, the claim(s) filed by the Defendants in relation to said real property will be allowed as and funded as general, unsecured, non-priority Claim(s); If no claim has been made that the Defendants shall have sixty (60) days from the date hereof to file such claim; and

It is further **ORDERED** that in the event the Plaintiffs' Chapter 13 Case is dismissed or converted to a Chapter 7, Defendants' Lien and security interest shall not be affected by this Order in accordance with 11 U.S.C. 349(1)(C) or 348(f)(1)(B), as applicable.

There being nothing further, this matter is Concluded.

Dated: Mar 18 2015

/s/ Keith L. Phillips

United States Bankruptcy Court

Entered on Docket: 3/18/15

I ask for this:

/s/ Robert B. Duke Jr.  
Robert B. Duke Jr., Esquire, VSB#74070  
America Law Group, Inc.  
2312 Boulevard  
Colonial Heights, VA 23834  
Ph: (804) 520-2428  
Fax: (804) 318-3806  
*Counsel for Debtors/Plaintiffs*

**CERTIFICATION**

Pursuant to Local Rule 9022-1(C), I hereby certify that all necessary parties have endorsed the above order.

/s/ Robert B. Duke Jr.  
Robert B. Duke Jr.

CLERK SHALL MAIL COPIES OF THIS ORDER TO:

Humberto and Sonja Quintana  
8724 South Boones Trail Road  
Richmond, VA 23236

Suzanne E. Wade, Chapter 13 Trustee  
P.O. Box 1780  
Richmond, VA 23219-1780

U.S. Bank National Association  
ATTN: Richard K. Davis, President  
425 Walnut Street  
Cincinnati, OH 45202

U.S. Bank National Association  
c/o CT Corporation System  
4701 Cox Road, Suite 285  
Glen Allen, VA 23060

Specialized Loan Servicing LLC  
c/o Capitol Corporate Services, Inc.  
10 S. Jefferson St. Ste. 1400  
Roanoke, VA 24011

David N. Prensky, Trustee  
5225 Wisconsin Avenue, NW  
Suite 500  
Washington, DC 20015

America Law Group, Inc.  
2312 Boulevard  
Colonial Heights, VA 23824